

REMARKS

Claims 1-45 are pending. Applicants note that the Examiner acknowledges that the amendments filed December 27, 2004 were sufficient to obviate the rejections of record, claims 1-44 are allowable since the closest prior art of record fails to teach or fairly suggest the compounds now claimed, and the methods of using said compounds are unobvious in view of the closest prior art of record.

To streamline prosecution, claims 1, 8, 9, 26, and 45 are cancelled without prejudice, claims 2-7, 11-16, 21, 22-25, and 27-44 are amended, and new claims 46-48 are added. Applicants reserve the right to prosecute the subject matters of the canceled claims in one or more continuation, divisional, or continuation-in-part applications. The majority of the amendments relates to adjusting the claim dependencies after claims 2 and 3 have been amended to be independent, to providing proper antecedent basis for certain terms used in dependent claims, and to reciting the full names of the molecules that comprise a catechol and/or pyrogallol unit. Support for the claim amendments and new claims are found in the specification and original claims as filed. For example, claims 46-47 are supported at Example III starting from page 18, and in particular, page 23, line 2, page 25, lines 9-10; claim 27 and dependent claims, and new claim 48 are supported at page 17, line 28; page 18, line 3. No new matter is added. In compliance with 37 C.F.R. 116, the amendment cancel claims and present claims in better form for consideration on appeal.

The Rejection Under 35 U.S.C. § 102 is Obviated

Claim 45 is rejected under 35 U.S.C. 102(b) as being anticipated by Goodsall et al. (US 6,113,965). The Examiner alleges that the compounds theaflavin, theaflavin-3-gallate, theaflavin-3,3'-gallate and theaflavin-3'-gallate, disclosed in figure 2, anticipate claim 45. Claim 45 is now cancelled and thus, the rejection is obviated.

Applicants request withdrawal of the rejection of the 35 U.S.C. § 102.

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully request that the Examiner reconsiders this application with a view towards allowance. The Examiner is invited to call the undersigned attorney, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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